

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1012*

House Bill No. 1404

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-213, is amended by deleting the section and substituting:

(a) As used in this section:

(1) "Abortion" means the use of an instrument, medicine, drug, or another substance or device with intent to terminate the pregnancy of a woman known to be pregnant with intent other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, to remove a dead fetus; or to treat an ectopic pregnancy or fetal anomaly not consistent with life;

(2) "Pregnancy" means the human reproductive process, beginning with the implantation of an embryo;

(3) "Reproductive health care" means health care and other medical services related to the reproductive processes, functions, and systems at all stages of life and includes, but is not limited to, family planning and contraceptive care; abortion care; prenatal, postnatal, and delivery care; fertility care; sterilization services; and treatments for sexually transmitted infections and reproductive cancers; and

(4) "Viability" means the point in a pregnancy when, in the good faith medical judgment of a physician, based on the particular facts of the case before that physician, there is a reasonable likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.



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(b)

(1) Every person has a fundamental right to make decisions about the person's reproductive health care, including the fundamental right to use or refuse contraception.

(2) A pregnant woman has a fundamental right to continue a pregnancy and give birth or to have an abortion before viability of the fetus or when necessary to protect the life or health of the woman and to make decisions about how to exercise that right.

(3) A fertilized egg, embryo, or fetus does not have independent or derivative rights under the laws of this state.

(c) This state or a department, agency, entity, or political subdivision of this state shall not deny, restrict, interfere with, or discriminate against a person's fundamental rights as described in subsection (b) in the regulation or provision of benefits, facilities, services, or information.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.